

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY CRAWFORD,

Plaintiff,

No. CIV S-02-1180 JFM P

vs.

K. TASISTA, et al.,

Defendants.

ORDER

_____/

Plaintiff is a prison inmate proceeding pro se and in forma pauperis with a civil rights action. On May 20, 2008, plaintiff filed his third request for the appointment of counsel.¹ As noted in previous orders filed in this case, the United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In certain exceptional circumstances, the court may request the voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). In the present case, the court does not find the required exceptional circumstances. Plaintiff's request for the appointment of counsel will therefore be denied.

¹ Plaintiff's previous requests, filed on April 4, 2005 and December 11, 2007, were denied.

1 In accordance with the above, IT IS HEREBY ORDERED that:

2 1. Plaintiff's request for the appointment of counsel is denied; and

3 2. The Clerk of the Court is directed to serve a copy of this order on plaintiff at
4 his address of record and in care of the Out-to-Court Desk, California State Prison - Sacramento,
5 P.O. Box 290007, Represa, California 95671.

6 DATED: May 28, 2008.

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9 UNITED STATES MAGISTRATE JUDGE

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